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## **Analytics and Continentals: divided by nature but united by praxis?**

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### **Abstract**

This article makes four claims. First, that the analytic/Continental split in political theory stems from an unarticulated disagreement about human nature, with analytics believing we have an innate set of mostly compatible moral and political inclinations, and Continentals seeing such things as alterable products of historical contingency. Second, that we would do better to talk of Continental-political-theory versus Rawlsian-political-philosophy, given that the former avoids arguments over principles, whilst the latter leaves genuine analytic philosophy behind. Third, that Continentals suffer from a lack of such arguments, even by their own lights, whilst Rawlsians suffer from inconsistencies within the thought-patterns (e.g. conflicting intuitions and judgements) on which their principles depend. Fourth, that there is an alternative method – ‘normative behaviourism’ - that at least tries to move beyond the problems of both approaches, whilst sharing an idea of ‘praxis’ with the first, and an idea of deriving-principles-from-existing-judgements with the second.

### **Keywords**

Analytic; analytical; Continental; Rawlsian; praxis; normative behaviourism; justification; principles; human nature; political philosophy; political theory.

### **Introduction**

Continental philosophy, says the analytic philosopher, involves *gurus* writing in such an *obscurantist* style as to ensure that everyone else has to devote all of their time arguing over the best *interpretation* of whatever it was they were attempting to get at. Analytic philosophy, replies the Continental philosopher, involves *pedantic* work on *irrelevant* questions, whilst power, ideology, and various crises of meaning and legitimation are left irresponsibly unchecked. You, says the Continental to the analytic, are just so many bald men (and I mean

*men*) fighting over a comb. You, replies the analytic, can't even agree (and don't even *try* to agree) on the concept of a comb.<sup>1</sup>

In contrast to such mutual stereotyping, this article is written in the conviction that there is more to the analytic/Continental division than just differences of *style* (analytical/obscurantist) or *questions* (irrelevant/fundamental). Instead, it stems from a basic disagreement concerning *human nature*, according to which Continentals see humans and their environment as alterable constructions, whilst analytics see both things in much the same way as natural scientists understand the physical universe. For the Continental, the understandings we have of both ourselves and our surroundings are fundamentally *contingent*: they have changed in the past and will change in the future, whilst even in the relatively homogenised world we inhabit today they differ from context to context (nation/culture/religion/etc.). For the analytic, we should broadly accept the scientific view of both self and environment<sup>2</sup>, which means, in the case of moral and political philosophy, that fundamental principles, rather than being cultural epiphenomena, are more properly seen as natural essences to be discovered and dissected, much as geologists or astronomers study rocks or stars.

This is a new and controversial way of looking at the analytic/Continental division, with analytic *political* philosophy, in particular, unlikely to welcome being bound up with the kind of naturalism described.<sup>3</sup> Yet if one accepts this distinction, then all sorts of things eventually become obvious: why one side talks of universal rights and theories of justice, and the other of discourse, genealogy, nihilism, and irony; why one side pursues the 'truth about politics' and the other the 'politics of truth'; why one side studies our 'moral intuitions' and 'considered judgements', and the other dead individuals (Hegel/Nietzsche/Foucault/etc.); why one side has titles such as 'Global Principles of Fairness' and the other things like 'Engaging with Foucault's engagement with Nietzsche's engagement with Kant'; and why one side is more at home, at least in the Anglophone world, in philosophy departments, whilst the other is more at home in literature and sociology departments, with both of them fighting it out for the hearts and minds of, you guessed it, *political* theorists working in *politics* departments.

The pay-off here, however, is more than just disciplinary self-understanding. In what follows I want to show not just that this is a generally *illuminating* way of looking at the

analytic/Continental division, but also a way that reveals some *problems* on each side, as well as the *potential* for a new, more co-operative endeavour. This argument proceeds in three stages. First, I show how the Continental position on human nature both defines and hinders its approach to political thought. Second, I show much the same thing for the analytic approach. Third, I explain how combining (a) the Continental idea of *praxis* with (b) the *Rawlsian* project of looking for the principles underpinning our pre-existing judgements, could lead to (c) an entirely *new* way of justifying political principles.

### **The Continental approach**

We start then with the Continental side of things, about which my central claim is as follows: the best way of understanding Continental philosophy *in general* is in terms of its rejection of the idea of *human nature*, by which I mean the kind of *fixed and substantial human essence* that would need to exist for either (1) universal normative principles, or (2) explanatory social-scientific laws. This is the commitment at the heart of every field working predominantly under Continental influence, from literary criticism to critical security studies, and from interpretivist political science to, most importantly of all, Continental *political* theory.

This claim contradicts several leading accounts of the distinctiveness of Continental scholarship, including both: (1) *negative* accounts, according to which there is no unifying Continental thread, given the differences between the authors involved (Glendenning, 2006; Leiter, 2014); and (2) *positive* accounts, according to which Continentals are unified by their position on, say, ‘experience and reason’ (Gutting, 2012), ‘critique, praxis, and emancipation’ (Critchley, 2001), or a ‘radical questioning of authority’ (White, 2011). So, in each case, although I share a general sense of *regret* regarding the asymmetrical terminology of the analytic/Continental split – Williams (1996: 23) once compared it to dividing cars into front-wheel-drive and Japanese – I do claim there is either something *more* or something *different* going on here.

Let me try and give that claim some initial plausibility. Imagine that you believe the following two propositions: (1) that human beings have no fixed nature, in terms of either their understanding of the world or the values they pursue within it; and (2) that such things are simply a product of history, culture, language, and so on. From these thoughts, at least three things readily follow. First, you might think, not just that we need to explore the

predominant ideas of a given context in order to properly understand the views of those individuals inhabiting it, but also that there is no *truth* in such matters, either in terms of the views themselves or the understanding we have of them. Second, you might think it impossible to ever *explain* those views, in terms of identifying a predictable process by which we came to think and act as we do today, and assume that we can only *interpret* what people said and did in terms of the ever-changing ideas and language that animate them (and which in turn define their *identities*), without ever referring to wider causal forces.<sup>4</sup> Third, as regards *normative* argument, you might think there is nothing we could use to criticise particular social/economic/political arrangements beyond the ambiguous, inconsistent, and ephemeral commitments of those who live under them. There can be no pure/better/natural self that could be thwarted by such things, in terms of its full and flourishing potential, and no universal principles by which to measure alternatives.

Clearly, this is roughly the pattern of thinking that I ascribe to Continental scholarship, and, if accurate, it will explain why – as I hope to illustrate – there is simply *no* Continental political *philosophy*, in the sense of an academic world of co-operative and consensus-orientated arguments aimed at establishing the objective merits of different political principles, but only something that is better (if not ideally) described as Continental political *theory*, for which the principal ambition is to ‘interrogate’ existing languages and relationships of power, without ever committing to any particular end such interrogation might serve.<sup>5</sup>

We can put some meat on the bones of this argument by considering, at a general level – and without mentioning names yet – the two most important manifestations of this ambition: a general idea of *critique* and a particular idea of *genealogy*. Consider, that is, how a standard Continental critique of our social/economic/political world always reveals *tensions* between different doctrines<sup>6</sup> (e.g. liberalism vs. conservatism), or the commitments of a single doctrine (e.g. freedom vs. equality within liberalism), without ever arguing for the *best* way of ranking such things. And consider, as a particular expression of such critique, how a standard genealogy of a given doctrine or commitment, although it might serve to present some *alternative* way of thinking to the dominant orthodoxy, and indeed to *de-naturalise* what currently seems a natural and necessary feature of our existence (thus providing evidence for the described anti-human-nature view as a whole), will never seek to establish the *superiority* of that alternative. For what point, from this perspective, would there be in attempting that further step? Arguments of *that* kind – normative arguments aimed at

establishing a consensus between rational people on moral and political principles – assume a universality and objectivity to such matters which, if the Continental philosopher is correct, is simply unavailable. And so, although we have *political* arguments in the Continental tradition, in the form of arguments with a political subject-matter, *theoretical* arguments, in the form of description distillations of particular clusters or commitments, and *critical* arguments, in the form of discussions of tensions and alternative possibilities, we never see that final move, so central to political *philosophy*, towards the rational comparison of such things.

None of which, of course, means that Continental political-thought has no *normative* element whatsoever – consider, for example, Derrida’s (2013) stance on the death penalty. My claim is simply this: it does not aspire towards either *objectively universal* political principles or, in the event of conflicting principles, an *objective ranking* of such principles, whereas (as we shall see) analytics do, even when universality and objectivity are reduced to something like (1) *contextually filtered* and (2) *most justifiable* of all *available* political-principle-sets, and to all *reasonable* and *affected* persons.

Note, though, that even that heavily qualified claim seems to have a worrying implication, given that anyone who does aspire to such things, whilst working from a Continental background (literature/thinkers/concepts/etc.), is apparently no longer *part* of Continental philosophy. If, for example, someone develops universal principles of justice out of Foucault’s writings, or a universal theory of rights out of Nancy’s, then it seems they are no longer ‘truly’ working in the Continental tradition. But I am happy with that implication. On my view, such work has, not just different *aspirations*, but also fundamentally different *assumptions* (as reflected by such aspirations) to the bulk of continental scholarship. Habermas and Honneth, for example, are *analytical*, not *Continental*, on this view, given their universalising ambitions, and should be grouped together with Kant and Marx, rather than Deleuze and Irigaray. Rorty and Tully, by contrast, and as discussed below, function as Continentals, not analytics, despite their academic context. They belong in a long line of anti-human-nature thinkers that runs from (at least) Heidegger, through much of existentialism and phenomenology, right through to the post-structuralist present day. And of course, at least a few thinkers will appear as *hybrids*, depending on their particular pro- or anti-human-nature commitments. But that is no problem at all. As *any* theory of this kind will have grey areas, we should not be unduly distracted by them.

In order to avoid at least some of the controversy surrounding these last claims, however, let me make two general points here: first, we should be wary of *any* definition of a class of arguments that manages to include even those things that only *superficially* resemble the work that we are certain belongs within it; second, we should assess not just the *faithfulness* of such definitions, but also their *fruitfulness*, given the *multiplicity* of *plausible* ways of defining any given class, in light of the multiple attributes shared by most of its (initially included) members. In other words, my claim that Continental philosophy is *best* understood in a particular way - that is, in terms of the anti-human-nature picture described - should not just be judged as a purportedly accurate *description* of (at least the majority) of the scholarship we already have in mind, but also as an *explanation*, given the light it sheds on what Continental political thought *can and cannot do*, and therefore *does and does not tend to do*. If, therefore, the preceding argument provides a good explanatory account of the character of *most* Continental political thought, we should not be worried at having to exclude a small remainder.

We do, however, need a certain level of faithfulness in order to generate that fruitfulness. As a result, I now need to show how various Continental scholars *do* conform to the central tenets of my picture, including even those who, as we will see, *depart* from the tropes of genealogy and critique described above. Consider, for example, Foucault, who claims that he cannot ‘define [or] propose an ideal social model for the functioning of our [...] society’, despite believing that ‘we should indicate [...] all the relationships of political power [that] control the social body and oppress [...] it’ (2006, 40). This is because, ‘if you say that a certain human nature exists, [and has] not been given in actual society the rights and the possibilities which allow it to realise itself [...] [then] doesn’t one risk defining this human nature [...] in terms borrowed from our society?’ (Foucault, 2006, 43). After all, ‘these notions of human nature, of justice, of the realization of the essence of human beings, are all notions [that] have been formed within our civilization, within our type of knowledge and our form of philosophy’ (Foucault, 2006, 57-58). ‘Genealogy’, therefore, reveals that ‘truth or being does not lie at the root of what we know and what we are, but the exteriority of accidents’, and thus ‘why every origin of morality, from the moment it stops being pious [...] has value as a critique’ (Foucault, 1986, 81). For although ‘we believe that feelings are immutable’, the truth is that ‘every sentiment, particularly the noblest and most disinterested, has a history’ (Foucault, 1986, 87), which makes ‘the purpose of history, [when] guided by

genealogy, not to discover the roots of our identity, but to commit itself to its dissipation' (Foucault, 1986, 85).

Note that Foucault talks here of *dissipation*, rather than some *ideal* identity that *should* replace our historical inheritance. His aim is simply to reveal the alternatives to dominant discourses (e.g. on human-rights), together with whatever tensions exist within and between them, without ever taking that further step of arguing for the *right* position on such matters. And not just *his* aim. Deleuze and Guattari, for example, in Patton's words, avoid all 'normative standards for the justification or critique of political institutions', in order to focus purely on 'a political ontology that enables us to conceptualise and describe transformative or creative forces and movements' (Patton, 2007, 42). Or consider Tully (2004, 98), who talks of encouraging a 'permanent *critical* ethos of testing the practices in which we are governed', and again of using history (following Foucault) in order to 'evaluate the practices and ways of thinking to which we are subject by comparing and contrasting them with possible alternatives' (2004, 96), without ever seeking to establish the superiority of just one approach. As he puts it: 'This is not a critique from the vantage point of a transcendental standard [but rather] a non-transcendental yet transcending critique of the horizons of our practices and forms of thought by means of reciprocal comparison and contrast with other possible ways of being in the world' (Tully, 2004, 96). For again, what point would there be in such transcendental aspirations if any values we invoke would only be a further set of historical contingencies for which no ahistorical vindication is available?

Saying, however, that there is no *objective* standpoint from which to evaluate such things, does not mean ruling out *all* forms of promotion of a particular position. Consider my earlier claim that even those Continentals who depart from the principal projects of critique and genealogy still conform to the central tenets of the anti-human-nature picture described. Here are three examples. First, Connolly, who writes of how one might adopt his 'ethos of pluralism' (2005, 66) due to need, principle, material interest, or the influence of churches, films, and celebrity testimonials (2005, 9), with the aim being simply to 'transmute' our existing orientations into the new ones he desires (2005, 47). Second, Mouffe (1999, 752-755), who wants to take the 'multiplicity of voices that a pluralist society encompasses', and convert 'antagonism into agonism' (a phrase Connolly shares) by making political actors see their adversaries as 'legitimate [enemies] with whom we [share] ethico-political-principles of democracy'. Third, Rorty, who believes we only possess particular attitudes – including



liberal-democratic attitudes – because ‘people in the past spoke a certain way’ (1989, 61), and that there are no ‘significant metaphysical or biological limits’ on the ‘plasticity’ of our moral and political inclinations (1999, 14). As a result, he thinks we should transform existing value-sets, not by rational *argument*, but simply by *rhetorically* presenting the phenomena that liberals want to eradicate (e.g. rights-abuses and inequalities) as things that involve pain and humiliation, and thus as things that even non-liberals generally find unpalatable (Rorty, 1989, 192). So, in each case, rhetoric and reason, argument and advertisement, are all much closer than the analytic believes. Rather than arguing for the *invalidity* of the old and the *unique validity* of the new, they aim only to develop our existing commitments in a new direction, by ‘mixing in’ new ideas with the various ‘creeds’ already existing in the world (Connolly, 2005, 48).

Continental political theory, therefore, although *standardly* devoted to critique and genealogy, is sometimes more ambitious. Sometimes, that is, rather than revealing tensions within or alternatives to existing positions, it works within them in order to effect some kind of internal *modification*, which will in turn *only be justifiable* by reference to elements of those *very same viewpoints* – an approach that sometimes gets called ‘immanent critique’ and sometimes, when attacked by analytics, ‘relativism’. But *again*, neither those labels, nor the discussed variation, should distract us from the fact that all these thinkers are singing from the same hymn sheet. Each of them shares the Continental belief in the *unavoidably* artificial character of human nature, and works only (and loosely) with the values people already hold, rather than trying to *argue* about them from a more *objective* viewpoint (which would only be, they insist, one particular viewpoint making a hegemonic claim).

Some readers, however, despite this acknowledged variation, will still worry about the pervasiveness of the described anti-human-nature picture in Continental political-theory, and in particular about the place of Marxist critical theory, given its desire to emancipate a *pure* self from *false* consciousness by way of combating *ideology* with *truth*. How, they might say, can one square this project with the anti-universalism and anti-objectivism of the post-structuralist tradition? The short answer – and also my reason for rejecting Critchley’s identification of Continental work with ‘critique, praxis, and emancipation’ (Critchley, 2001, 54) - is that we should not even try, given that ‘critical’ today only rarely means, for Continentals, what it means when ascribed to Marx or much of the early Frankfurt school. As discussed, it more normally means one of three things: (1) the exposure of alternatives to a

particular orthodoxy; (2) the exposure of tensions within such orthodoxies; or (3) the rhetorical modification of such orthodoxies via the pre-existing commitments of those who live with them. As a result, *normative* Marxism with *universal* ambitions has no place under the Continental umbrella – as illustrated by the name of one of its more interesting variants: ‘analytical Marxism’ (e.g. Cohen, 1995).

There is, however, a problem with all this ruling out of truth, argument, reason, and emancipation, which is that it leaves Continental political thought with what seems to be, from the analytic perspective, a disappointing lack of *genuine* critical bite. Because there are no arguments about the *rational comparison* and *ranking* of different *principles*, there are also insufficient resources for combating what *seem like* abuses of power, or indeed for promoting what generally *looks like* political progress. And not just from *that* perspective. Even for many Continentals, there is a tension between the desire to be ‘critical’ and ‘political’, and the limits of normative argument they place upon themselves in virtue of the kinds of anti-objectivism and anti-universalism that I assimilate under the rejection of human nature. In conversation, and in reviews of each other’s work, they bemoan the lack of precise political prescription, whilst struggling to see how they could reach beyond the kinds of exposure and rhetoric described above.<sup>7</sup> They want anti-hegemonic weaponry, but sense that, if the anti-human-nature view is correct, then philosophical political guidance is impossible. None of which, of course, implies that the analytics have mastered this art – but we’ll get to them in a moment. For now, the point is simply that both analytics *and* most Continentals would like Continental political-theory to offer *more* by way of *positive* and *principled* political argument.

### **The analytic approach**

My thesis, to repeat, is that what fundamentally separates analytic and Continental political theory is a disagreement about human nature. One side believes our ‘nature’ is not natural at all, but rather a construction - and thus always open to re/de-construction - whilst the other believes we have a moral and/or political nature that is just waiting to be discovered and dissected in terms of the principles to which we are ‘naturally’ committed. So far I have made good on one part of that thesis - the interpretation of Continental work in terms of a *fundamental rejection* of human nature – but the second part – the interpretation of analytic work in terms of a *fundamental reliance* upon human nature - is just as important, and in some ways more difficult.

This extra difficulty stems from the fact that, just as there is no Continental political *philosophy*, as discussed above, there is also, strictly speaking, no *analytic* political philosophy.<sup>8</sup> Consider here that ‘analytic’ philosophy traditionally involves conceptual analysis *without* normativity, as encouraged by its central doctrines of positivism and emotivism. This is why the ‘death’ of political philosophy, as declared so famously by Laslett in 1956, occurred so soon, historically speaking, after the ‘birth’ of analytic philosophy. Think here of figures like Frege, Russell, and especially Ayer, who thought political philosophy unsuitable for proper analysis, and whose positivism reduces it to either disagreement about facts, and thus the preserve of science, or differences of emotional attachment, and thus beyond rational debate. All that remains is the cold-hearted analysis of political concepts, without any recommendations regarding either the principles they might involve, or the institutions capable of expressing such principles, which is why even someone like Berlin (Ayer’s friend and colleague), despite occasional talk of a core of universal evils (famine/war/disease/etc.), was still ultimately focussed on the *incompatibility* and *incommensurability* of the various value-concepts that attract us in political life (liberty/equality/fraternity/etc.), rather than any principles by which they might be organised.

We lack, therefore, any genuinely *analytic* political philosophy, which is ultimately why scholars prefer the term *analytical* today for a subject that could only be *reborn* with the *death* of true analytic influence (excluding, of course, things like fine-grained conceptual distinctions and certain stylistic commitments). Yet this then leaves the question: what kind of political philosophy *do* we have as a genuine ‘other’ to contemporary Continental political theory, as discussed above? What we have is something that is often called analytical-political-philosophy, sometimes normative-political-theory, and sometimes Anglophone or Anglo-Saxon political-philosophy, when really, as I now explain, it would be best characterised as *Rawlsian* political philosophy.

Consider here that Rawls’ *A Theory of Justice*, so often described as *saving* political philosophy, could only do such a thing by providing it with a new *methodological blueprint*. It is this blueprint that we see at the heart of almost everything that now goes under the heading of political *philosophy*, and even most of what goes under political *theory* – though a significant part of work self-described in that way is admittedly more Continental in character.<sup>9</sup> In fact, the only strong exception to this trend, within the broader category of

political *thought*, is the world of the *history* of political thought, which generally shares ideas of contingency, constructed-ness, and variability with the Continentals, and indeed argues for them with historical evidence<sup>10</sup>. Such argument echoes the earlier discussion of genealogy, because it is again the idea that history can be used to both *denaturalise* the status quo and *open up our horizons* to other ways of thinking – an idea which, amongst other things, explains why the development of unfamiliar historical narratives is so often a central feature of movements that attempt to displace Rawlsian orthodoxy.<sup>11</sup>

The real point about Rawlsian ‘orthodoxy’, however, is not the line one sometimes hears about the popularity of *justice* at the expense of everything else. It is that he has standardised a *method* of political philosophy that involves treating political principles as either an aspect or an entailment of our *nature*, as defined by the system of principles that *already underpins* the various judgements and intuitions we *already have*. Or, more precisely, we are to look for the principles either expressed or entailed by what are best conceived of as our *normative thoughts* – thoughts about either what should or should not be the case in the world or what we should or should not do within it, and for which at present we rather inconsistently invoke the language of intuitions/convictions/commitments/judgements/considered-judgements/well-considered-judgements/all-things-considered-judgements/etc. The aim is thus to study what ‘we’ already think, and then look for the principles underpinning that thinking, which, in Rawls’ case, meant the principles of justice underpinning our ‘considered judgements’ of justice.

The *naturalism* of this project, therefore, lies in its attempt to *discover* our true normative nature. This much is implied by the widely-held method of studying the normative thoughts either that *everybody has* or that *everybody would have* under ideal conditions, as described by Gaus (2011, 174) as the ‘basic datum’ of moral and political philosophy, and as expressed by Rawls in ideas such as competent-plus-impartial judges and ‘the original position’. Yet it is sometimes more explicit than that - in things like the idea of ‘explicating’ our ‘sense of justice’ (Rawls, 1999, 96-116), his comparison of our moral capacities with our innate ‘sense of grammaticalness’ (Rawls, 1971, 47), and, to a lesser extent, the discussions of what it means to be a ‘moral person’, together with all the natural capacities and tendencies that idea involved for him (including an attendant conception of ‘natural rights’) (Rawls, 1971, 505). Framed in this way, the ambition is to isolate and analyse this ‘sense’ by revealing the principles to which we are already committed, and to which we should therefore turn when

handling various contemporary disputes. And note: although the later move towards a more contextualist argument in *Political Liberalism* - as accompanied by claims regarding the 'burdens of judgement', the 'public political culture', and the pluralising effect of liberal government - might seem to push Rawls in a more Continental direction, we should not be misled. Given the aim of restricting our considerations to 'reasonable' doctrines, and the way in which that restriction is justified, the central method - of capturing something of our normative nature and applying it to politics - remains unaltered.

Normally, however, the naturalism of contemporary political philosophy is less explicit than it is in Rawls, which is why my argument seems like such a novel thesis. It is always *implied* by the widespread invocation of things like intuitions and judgements, but never subjected to any real reflection. This is partly because philosophers in general dislike talk of methods and methodology, and prefer to describe their *modus operandi* as something like 'reading books' or 'thinking about arguments' – though that is only part of it. More important by some way are the following two factors: first, the worry that, if we accepted that contemporary political philosophy attempts to refine a mental 'is' into a political 'ought', by going from facts regarding what we already think to principles regarding how we ought to live together, then it seems as though we violate one of the earliest tenets of *genuinely* analytic philosophy – the so-called 'naturalistic fallacy'; second, a certain faith in the kind of coherentism described by Rawls' concept of reflective equilibrium, according to which it does not *ultimately* matter what people *currently* or even *naturally* think, but only what they *should* think in the sense of what they *would* think under such equilibrium.

This general notion, however - that political philosophy is *non-naturalist* - which I take to be a *widespread* though largely *implicit* and *unexamined* conviction, just does not match up to the *practice* of the contemporary subject. With all its talk of testing-principles-against-judgements, of principles-reflecting-intuitions, of theories-providing-the-best-interpretation-of-our-existing-commitments, and of what-we-think-we-would-do-in-hypothetical-situations, contemporary political philosophy lives and breathes the idea of studying whatever natural patterns can be found in our normative thinking. Not to mention, of course, its more general use of the pronoun 'we', as in 'what we all think', even when that idea is pared down into things like 'what all reasonable people believe'. The point, again, is that we are to look for the principles to which we are *already* and *naturally* committed. Sure, we *refine* our existing thinking via reflective-equilibrium, and eliminate whatever rogue thoughts appear as outliers

on the mental scatter-graph – i.e. those thoughts that fail to fit with the principles expressed by the vast majority (and in particular our most dearly held convictions). But *only* outliers: reflective equilibrium is a conservative tidying-up exercise, given that it can only replace one of our existing normative thoughts by relying upon the bulk of the rest of them. Thoughts are *always sovereign*, thus ensuring the naturalism of the overall endeavour.

Note, however, that saying Rawls standardised this model of enquiry does not mean claiming he invented it *ex nihilo*. Sidgwick, clearly, is a major influence here, though the same essential project is also shared by Hume (1998, 7), who studied the feelings in his ‘breast’ in order to reach the ‘foundations of ethics’. My claim is simply that Rawls laid down a methodological blueprint that is so pervasive in political philosophy that even those who seem to be disagreeing with him about the very fundamentals are really working with a common method. Someone like Cohen, for example, who opposes Rawls on the facts/principles relationship, is still working from that blueprint, given the shared project of, as he puts it, ‘investigating our deepest normative convictions’ (Floyd, forthcoming). Both of them, ultimately, study the thoughts *we already have* in order to work out the principles *to which we are already committed*.

My most controversial claim about this project, however, is that it cannot work in the intended fashion. Ultimately, as illustrated by the stalemates of contemporary politico-philosophical argument, and as I have argued elsewhere (Floyd, 2011), it just cannot identify a single principle or set-of-principles capable of providing a uniquely appropriate expression of the different normative thoughts of even one individual, let alone a whole society – which is ultimately the key ambition when it comes to *political* philosophy, given the need to find principles that ‘apply’ to at least the various ‘reasonable’ members of a given political group.

Let me summarise my claims on this front as concisely as possible, given the impossibility of doing them full justice here.<sup>12</sup> My argument is that there are just *three* distinct types of normative thought that are *potentially* convertible into binding political principles, *none* of which can deliver the goods. These are (1) our ‘impartial choices of ideal political system’, (2) our ‘considered judgements’, and (3) our ‘intuitive choices of abstract principle’. The first of these are the decisions we imagine we would make in choice situations, such as Rawls’ ‘original position’, in which the chooser is asked to choose an *ideal* political system under conditions of *restricted knowledge* (what you know of yourself and the world) and *controlled*

*consequence* (what the choice will mean for you), the nature of which is supposed to guarantee *impartiality* for each individual contemplating the choice, and thus *agreement* across different individuals. The second are judgements all *educated* and *intelligent* people are supposed to have about relatively concrete *states of affairs* (e.g. inequality or environmental degradation) and *practices* (e.g. discrimination or slavery). The third are decisions we imagine we would make in *abstract moral dilemmas* (e.g. runaway trolleys), and thus the *principles* such choices are supposed to express (e.g. save the greatest number). Admittedly, my labels for (1) and (3) are unfamiliar, but that is not important, given the familiarity of the thoughts they denote. What matters here, if I am right, is that each of these three sets-of-thoughts is too internally contradictory to exhibit a clear principle-shaped pattern.

These contradictions play out as follows. First, impartial choice situations: The problem here is that they either trigger *different* choices from different individuals, and thus fail to reveal a *unique* set of political principles, or the *same* response *only* in virtue of *controversial* restrictions on our impartiality that require justification from something *outside* of that situation, which means ultimately either of the other two types of thought - which is fine if one of them delivers, but fatal if neither does. Second, considered judgements: the problem here is that the only *politically-relevant* judgements of this kind that are genuinely *shared* by most individuals are too *indeterminate* to ground just *one* set of meaningful political principles. Agreeing that 'slavery is wrong', for example, hardly narrows things down when it comes to libertarian-versus-egalitarian justice. Third, intuitive choices of abstract principle: the problem here is that, as revealed most extensively by 'experimental ethics', according to how we frame *one and the same dilemma*, we can get *one and the same person* to give *different verdicts*, and thus apparently adopt *different principles*.

My argument, therefore, is that because each thought-set is too internally *inconsistent* to support just *one* set of principles, even after the tidying-up efforts of reflective-equilibrium - for which a few contradictory outliers would be fine - the Rawlsian project of discovering the principles to which we are already committed, in virtue of the normative thoughts we already have, seems doomed. Or, to put the same point more analytically, in the sense of exposing all its key premises, if we can (1) accept the *flaws* of each of these three thought-categories, (2) accept that they are *exhaustive* of the normative thoughts capable of grounding political principles, and (3) accept that a reliance upon such thoughts is *central* to contemporary

political philosophy, then we should (4) see that the described project *cannot succeed*. So, even if there is *more* to human nature than the Continentals believe, there is still *less* than the Rawlsians need, including even those who, like the later Rawls, adhere to a more ‘contextualist’ version of the central project - given that systematising the principles of a particular culture/code/era/etc., due to the internal disagreements those things contain, still requires an *inevitable* organising referral to more *universal* principles (e.g. of ‘reasonableness’) and thus an eventual reliance upon the kind of *natural* thought-patterns described.

### **From enemies to allies? Praxis as a guide to principles**

I now want to argue that one particular Continental idea - *praxis* - could combine with the key Rawlsian practice - *deriving principles from existing judgements* - in a way that avoids both (1) Continental-political-theory’s inability to generate prescriptive principles, and (2) Rawlsian-political-philosophy’s inability to generate rational agreement on just one set of such principles. Bear in mind though that what I say on this front will be both schematic and vulnerable to multiple objections for which there is insufficient space here. My aim is simply to show why one might be interested in exploring such an approach, given the problems discussed above.

The particular concept of praxis this approach involves differs considerably from the more standard concept of *theory-informed-action*, or, more generally, *fully-reflective-and-conscious-action*. Consider, for example, Arendt’s discussion of political action, Habermas’ development of communicative-rationality (including discourse-ethics), and Marcuse’s exploration of the politics of teaching political philosophy. In each case, the idea is to identify the principles that *should* inform, in the *future*, particular actors in particular contexts, from political campaigners to the discursive co-creators of universal norms. Yet that is not the only possible focus regarding the principles-practice relationship. According to a second concept, rather than focussing on *future* practice, we should look primarily at the principles *already expressed* by our *existing activities*. Consider, for example, Hegel and Marx, for whom the project of developing future-orientated principles depended upon the project of identifying the principles already emerging and coming into force in the modern world, as well as the principles expressed by earlier eras. On this view, praxis means something like *principle-expressing-action*, which makes the political philosopher’s project, at least initially, one of interpreting the principles *behind* the actions people are *already undertaking*.



With this concept in mind, I am interested in the principles behind two forms of action: *insurrection* and *crime*. These forms interest me just insofar as they express *strong discontent* with the *political system* that produces them, either *directly* – in the case of insurrection – or *indirectly* – in the case of crime, which I treat here as an expression of discontent with the various *ways of life* that system facilitates. There is, in short, a component of the *intentions* of actors engaged in either form of behaviour that relates, not to what they are *aiming for*, but what they are *objecting to*. So: rather than looking at the *ambition* to achieve democracy/theocracy/communism, in the case of insurrection, or the *desire* for money/food/luxury-goods, in the case of crime, I want to look solely at that part of such intentions that relates to a *rejection* of the status quo – a *conscious* though *separable* part of the practical reasoning involved.

What, though, is the point of looking at this aspect of such actions? How could it help us move from *praxis* to *political principles*, and thus reveal a solution to the problems discussed above? Consider here how a Rawlsian would study the principles expressed by our considered-judgements, whereas a Continental might study the principles expressed by a particular discourse. By contrast, the idea here is to justify political principles by looking at the *negative judgements* expressed by insurrection and crime, and thus the political system that produces the *fewest* such judgements. Or, more precisely, the idea is to look *comparatively*, at all known historical political systems, and thus all known expressions of particular political principles, in order to see if just *one* of them, fairly *reliably*, generates the *least* expressed discontent on the part of its citizens (and note the dual idea of *expression* here: systems as expressions of principles, and actions as expressions of preferences about those systems, and thus principles).

I call this way of doing things *normative behaviourism*, and if it had a slogan it would be something like ‘actions speak louder than words’ - though that is not quite right. The idea is rather that particular actions, at least sometimes, speak louder and clearer than thoughts. *Louder* because, given the risks involved, insurrection and crime express *deep* discontent with either the political system or the ways of life it facilitates. *Clearer* because, in contrast to our normative thoughts, the patterns surrounding such behaviour (or so I claim) are relatively univocal, in terms of the principles they appear to support. This means, by contrast, that whereas Habermas is interested in the principles either expressed by or likely to be adopted in

an ‘ideal speech situation’, I am interested in the ideals expressed, however implicitly, through *non-linguistic actions*, undertaken in response to *real political environments*, and by *real individuals*. Or, whereas speech-act-theory says that, when you say something, you are also doing something, normative behaviourism says that, when you do something, you are also saying something.

So what do we see if we look for such trends? In short, we see that, whereas *liberal-democracies* generate less insurrection, more *egalitarian* liberal-democracies generate less crime.<sup>13</sup> This means (ignoring most of the various connecting arguments and objections that apply here) that normative behaviourism recommends the political principles of, roughly speaking, what Americans call liberalism, Europeans call social-democracy, and political theorists call egalitarianism. So: of the set of historically-tested political systems, and *only* of that set, this praxis-based way of justifying political principles claims that, *comparatively* speaking, such principles do better than the alternatives (whilst acknowledging that they are not the *only* variable affecting such behaviour). None of which means that we could not *improve* on this regime, via innovation on details, or even that we could never discover a superior though *radically different* alternative, about which we currently know nothing. But that is not the claim. The claim is simply that, to the extent that we know *anything* of the general *tendencies* of different political systems in practice (and some would say we do not), individuals, *at least in the long run* (for ‘improvements’ sometimes increase discontent in the short term, e.g. East Germany under Krenz, as opposed to Ulbricht and Honecker<sup>14</sup>), seem to prefer living with *this* kind of system.

This sketch, however, of how we can derive principles from actions, rather than discourses or thoughts, still leaves unclear the particular kind of *justification* involved in such derivation. Fundamentally, what *reason* do any of us have to support such principles? Consider here what a Rawlsian would say: that you are bound to particular principles simply in virtue of the fact that they are *already expressed* by the normative thoughts you *already* hold dear. In this vein, the normative behaviourist might say that we are bound to such principles in virtue of the preferences our actions already express, even when such actions are really the actions of *other* people acting in *different* environments – a point which exposes an important parallel between Rawlsians and normative behaviourists regarding the question of *human nature*, namely that they both treat such expressions as in some sense natural, given that both assume

that *anyone*, or at least *most* people, would have identical responses, mental or behavioural, to certain kinds of identical circumstances.

Yet normative behaviourists can also say something else. Echoing Continental figures such as Connolly, we can say that different people will have further and varying reasons for valuing such principles, even if it is true that most people, if forced to live with a range of political environments, would ultimately prefer the egalitarian option indicated. These include things like *sympathy* for those who hate the life-choices offered by alternative regimes, a prudent *interest* in minimising violent crime, and even the more principled *liberal* notion of wanting a system to which the least number of people strongly object. Note, though, that there is only so much we need to say about such reasons here, given the comparison with Continentals and Rawlsians. If the former offer no arguments-for-principles, whilst the latter depend upon thoughts which turn out not to be shared in the required way, then even the *possibility* of providing a range of supporting reasons, on the back of a steady empirical trend of expressed political preferences, is enough to be going on with for now.

All of which means, I think, that normative behaviourism is an exciting though under-argued idea. Amongst other things, we should worry about whether it violates the so-called naturalistic ‘fallacy’, by moving from an ‘is’ of behaviour to an ‘ought’ of political principles, and whether it tacitly relies upon some deeper principle for which no argument has been given, and which could only be based, in Rawlsian fashion, on our normative thoughts.<sup>15</sup> But that is hardly the point. What matters here is that I have sketched out a *new* way of justifying political principles, by thinking about both the problems and the potential of the Continental and Rawlsian traditions. If, therefore, I have done enough to make that possibility interesting, then that is more than enough for now.

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<sup>1</sup> This image comes from Borges' famous description of the 'Falklands thing'.

<sup>2</sup> Though only *broadly*, given that even the most hard-nosed analytic accepts that the way we *understand* artistic trends differs significantly from the way we *explain* atomic movement.

<sup>3</sup> An exception is McDermott, 2008.

<sup>4</sup> A well-articulated view of this kind is Bevir (1999). For critique, see Floyd (2011).

<sup>5</sup> Note: if this claim is interpreted as a value-judgement regarding the relative merits of 'philosophy' and 'theory', or some stipulation regarding what 'philosophy' is in a way that skews things in my favour, then you could easily swap around the two terms, whilst retaining my argument.

<sup>6</sup> I use 'doctrine' as a catch-all for paradigms/ideologies/discourses/epistemes/theories/etc.

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<sup>7</sup> The best way to appreciate this is to browse the reviews section of *Radical Philosophy*.

<sup>8</sup> My argument here has common ground with Wolff (2013).

<sup>9</sup> See, for example, the journal *Contemporary Political Theory*.

<sup>10</sup> See Floyd (2009).

<sup>11</sup> E.g. MacIntyre (1984). Regarding the role of history in ‘political realism’, see Floyd (2010).

<sup>12</sup> A much longer case can be found in (Floyd, forthcoming)

<sup>13</sup> Regarding insurrection, see (The Polity Project, 2014); regarding crime, see (Wilkinson & Pickett, 2009). For further data and discussion see (Floyd, forthcoming).

<sup>14</sup> I owe this example to an anonymous reviewer for this journal.

<sup>15</sup> For discussion of these and other problems, see (Floyd, forthcoming)